Angles
New Perspectives on the Anglophone World

5 | 2017
The Cultures and Politics of Leisure

Fighting Colonial Violence in "Indian Country": Deconstructing racist sexual stereotypes of Native American Women in American popular culture and history

Sophie Croisy

Electronic version
URL: http://journals.openedition.org/angles/1313
DOI: 10.4000/angles.1313
ISSN: 2274-2042

Publisher
Société des Anglicistes de l'Enseignement Supérieur

Electronic reference
Sophie Croisy, « Fighting Colonial Violence in "Indian Country": Deconstructing racist sexual stereotypes of Native American Women in American popular culture and history », *Angles* [Online], 5 | 2017, Online since 01 November 2017, connection on 28 July 2020. URL : http://journals.openedition.org/angles/1313 ; DOI : https://doi.org/10.4000/angles.1313

Fighting Colonial Violence in “Indian Country”: Deconstructing racist sexual stereotypes of Native American Women in American popular culture and history

Sophie Croisy

1 In 2007, Amnesty International published a report entitled “Maze of Injustice: the failure to protect Indigenous women from sexual violence in the USA” (Amnesty 2007). This report is the result of a two-year investigation (in 2005 and 2006) among Native social activists, health workers, legal workers and Native rape survivors who testified on the state of violence against Native women in their tribal communities. This report also relied on statistical studies conducted throughout the U.S. by the Department of Justice. According to the report, “34.1 per cent of American Indian and Alaska Native women — or more than one in three — will be raped[1] during their lifetime; the comparable figure for the USA as a whole is less than one in five” (Amnesty 14). The document indicates that “According to the U.S. Department of Justice, in at least 86 per cent of reported cases of rape or sexual assault against American Indian and Alaska Native women, survivors report that the perpetrators are non-Native men” (Amnesty 16). These worrisome figures do not, however, reflect the reality of sexual assaults against Native women according to the Amnesty International investigators as not all rape victims report the rape as they are afraid of being re-victimized or ignored by the police. This fear is explained in the report as the expression of a lack of trust in official government agencies due to centuries of traumatizing relations with them.

2 In October 2012, internationally renowned Ojibway author Louise Erdrich released her latest novel, *The Round House,* and won the National Book Award for fiction. This text illustrates the conclusions, sadly relevant nowadays, of the 2007 Amnesty International report as it deals with a case of sexual violence perpetrated by a non-Native man on a

Native woman, on reservation premises. The text emphasizes the racist ideology behind the crime and the difficulty the victim and her family face, because of tribal sovereignty and jurisdiction issues, to get the attacker prosecuted. The fact that nationally and internationally acclaimed Native writer Louise Erdrich felt compelled to write about this issue in the 2010s stresses the contemporaneity of racist sexual violence against Native women in the U.S. and the urgency of effective action against it. The text also stresses the legally numbing complexity of the relationship between federally recognized Native American tribes and the U.S. government, which prevents racist sexual crimes taking place on reservations from being punished. Despite the positive but limited effects of recent legal improvements, racist sexual violence against Native women remains a current and worrisome issue in the U.S. Therefore, it is necessary to investigate and make visible the complex web of contemporary practices and causes, both cultural and legal, which participate in explaining this painful situation. As part of that process, this article investigates contemporary instances of racist stereotyping of Native American women in American mainstream culture as well as their historical (cultural and legal) roots.

Contemporary racist stereotyping of Native American women

3 The colonial system progressively implemented in the young American colonies and subsequently reinforced by the American government of the new Republic has disseminated fallacious representations of Native cultures in order to justify decisions and actions taken against them in the context of an expansionist and civilizing mission: the theft of Native lands and the Native American genocide throughout the era of the Indian wars, governmental politics of assimilation of Native Americans and the implementation of the reservation system which has legalized Native communities' loss of sovereignty in matters of cultural practices and governance are the most visible traits of that mission.

4 The fallacious representations that have justified the dislocation of culturally complex and diverse Native communities have either mythologized (through stereotypes of the romantic/vanishing Indian, the Indian princess supporting the colonial process, the Indian saint as master work of the Christian missionary) or dehumanized (through the savage Indian, the drunk Indian, the dirty/disease-ridden Indian, the promiscuous “squaw” stereotypes) Native Americans.[2] These representations were fabricated by discoverers, colonizers, politicians, fiction writers and journalists in the centuries of American colonization and expansion. Dehumanizing stereotypes were reinforced by the ideology of scientific racism popularized in the U.S. by eugenicist Madison Grant through his book The Passing of the Great Race published in 1916. They were promoted by 20th century policies of assimilation as well as mainstream cultural productions — the Hollywood industry, in the first half of the 20th century and through the Western genre, is responsible for the dissemination of negative images of Native Americans which have erased the historical, cultural and social reality of Native communities in the U.S.

5 Unfortunately, these degrading stereotypes are still with us today: the “savage Indian” has become the mascot of sports teams and contemporary hipster music bands throughout the U.S.; the drunk Indian remains a widespread representation which

posits alcoholism as a Native cultural trait;[3] and the over-sexualized Indian woman has become a global object of desire from the sexy Halloween Indian costumes for women available on clothing websites to contemporary "sexy squaw" performances found in fashion and music shows.

6 Contemporary examples of cultural appropriation pervade the music and fashion industries. If a number of contemporary American hipster music bands have adopted names that recall problematic images of Native Americans,[4] the themes of their songs do not address issues related to Native American history or politics, nor do they address the role of certain music trends in reiterating these images and the violence they both carry and promote.

7 The reference, through the name, to problematic representations of Indianness (the blood-thirsty savage or the Noble savage are the images that are most often called upon in music band names) implies a historical and cultural decontextualization of the name. This contextual vacuum designifies the name and prevents it from being properly processed and understood through an analysis of its constructed origin and development. The signifier "Indian" thus becomes a floating one[5] as it is detached from its referential contexts, but not for long as this lack of meaning ends as soon as it begins with the return of long-imposed, easily available and self-perpetuating fixed meanings — a trail of problematic signifiers — whose endurance has been tested through time. These meanings are one-dimensional, stereotypical representations and discourses about Native Americans found in American history books past and present, mainstream 20th century films, advertising and other popular culture media.

8 Fans of contemporary hipster music band *Neon Indian* (whose song lyrics are mostly about the effects on young adults of making love, losing love, taking drugs and drinking alcohol) experienced first-hand the effects of designification during a performance at the 2010 Bonnaroo music festival when a group of young, non-Indigenous women wearing headdresses, colorful feathers, and war paints on their naked breasts took over the stage as the band was singing their "Deadbeat Summer" hit (Keene 2010). The young women danced around to the beat and lyrics of a song about the summer-time reminiscence of a lost love.

9 Appropriation by the music and fashion industries of the Native American headdress is an issue that has been dealt with in the media on various occasions. This example of "playing Indian," a long-winded process analyzed by Philip J. Deloria in his eponymous 1998 book (Deloria 1998) as a way to imagine and re-imagine American identities through time (and as a way for a culture group to perform domination upon another, through cultural appropriation) is an instance of cultural mimicry which, in the context of contemporary hipster culture, is often justified as a countercultural move towards the adoption of a revolutionary American identity (based on emancipatory experiences, though there is nothing emancipatory or revolutionary in making cultural appropriation consumable and marketable). As a matter of fact, Native Americans retain, within counterculture movements, this revolutionary aura as they have been — and still are, in more ways than one — historical obstacles to cultural imperialism in the U.S. However, relying on a name but depriving it of its cultural and historical heritage and then associating it with song lyrics that promote sex, drugs and alcohol, only allow for a caricatured, lampooned representation of Native cultures. The effect is a revival of hegemonic perceptions of Native Americans: Native culture as a dead culture — only a generic and empty name remains, and a problematic one too as it

encompasses the whole of Native American communities as if they were one homogenous entity. This homogenous group is invested with hedonistic characteristics by non-indigenous cultural communities and thus falls back into stereotypical categories. This impromptu spectacle, completely disconnected from the song and its theme, is an instance of designification of the name which then re-activates the “drunk Indian” and “promiscuous squaw” stereotypes already contained in the word (Neon) “Indian.”

10 Cultural appropriation as a contemporary, neo-colonial practice of representing Native Americans by depriving them of their historical and cultural complexity is an issue that has been raised by the U.S. media, both Native and mainstream. However, the objectification and sexualization of Native American women in contexts of cultural appropriation is not yet receiving sufficient attention. The young ladies “playing Indian” at the *Neon Indian* concert offered a sexualized caricature of Native women, thus reinforcing the contemporaneity of the “promiscuous squaw” stereotype: a lurid, savage and sexually available Native woman. Similarly, in the fashion industry, Victoria’s secret 2012 infamous fashion show staged an overtly sexualized Karlie Kloss wearing a headdress on the runway (“Here We Go Again...” 2012): another sad example of cultural appropriation and stereotyping that harms the image of Native women and amplify their objectification and sexualization.

11 Accusations of cultural appropriation of Native American imagery have targeted a number of mainstream music artists, but one of the most recent and problematic instances, in the pop music industry, of racist and gender stereotyping of Native Americans is the music video of “Looking Hot,” a song from No Doubt’s 2012 *Push and Shove* album (No Doubt 2012). Angela R. Riley, a professor at the UCLA American Indian Studies Center, wrote an open letter to No Doubt in response to the video and stated that “the video diminishes Native people and Native cultures while, simultaneously, co-opting Indians and indigeneity for exploitative gain. In essence, it represents the grossest kind of cultural misappropriation... Most importantly, however, the video is rife with imagery that glorifies aggression against Indian people, and, most disturbingly, denigrates and objectifies Native women through scenes of sexualized violence” (Riley 2012). No Doubt pulled the music video from the Internet after such accusations of cultural appropriation and promotion of racist and sexist violence, and making public apologies; however, the video remains easily available on the web, which raises the issue of the responsibility of global media, or rather their inability, in preventing the perpetuation of racist and sexist ideology.

12 This media file cannot be displayed. Please refer to the online document http://journals.openedition.org/angles/1313

13 The song is about a woman who is “looking hot” and is very much conscious of the effect she has on those who look at her. The woman plays with the fact that she is sexy and further constructs her sexiness with clothes (“How is this looking on me?”) but also tells the onlookers that she, in fact, hides behind her “uniform” which she uses as a diversion, implying that her physical appearance covers up an emptiness inside. Though the song seems to allude to the loss of a woman's inner self in a society that focuses on superficial, consumerist ideals, its problematic “Native contextualization” blurs the intended message of the song rather than sustains it since the message and the chosen context for its diffusion are disconnected. Here again, designification is the

rule as the intervention of Native American cultural (mis-)representations entails a loss of historical and cultural contextual meaning and the return of stereotypes.

14 The video opens with a shot on tipis erected in a prairie and a sexy-looking Gwen Stefani wearing a highly glamorized version of plains Indians' garments and regalia (or so we conclude since we are standing in a prairie), all of it shiny with gold and silver colors. The second scene is a close shot on Stefani who is riding a horse, her hair blowing in the wind. These opening shots recall the monolithic and stereotypical representation of Native Americans, in American popular culture, as plains Indians (living in tipis, wearing long hair and riding horses), a representation that gets interrupted by a quick change of setting as we then witness Gwen Stefani, hands tied with a rope, being dragged into the limits of an old Southern mission by two cowboys out of a traditional Western film—one quite nondescript and the other one looking like the famous Lone Ranger, but Tonto-less. This abrupt change of setting (from the prairie to the Southern desert) not only recalls the fast pace of colonialism during the American expansionist era and the fact that the very first target of the U.S. expansionist desires was the land, but it also represents Native cultures as easily and quickly delocalizable, thus trivializing displacement and dishonoring the memory of Native Americans who endured the tragedy of relocation. The quantity and multiplicity of instances of cultural appropriation are numerous in the video. Towards the end of the video, we learn that the “Native woman” played by Stefani and her male mate were captured during a battle, which is staged in the video, opposing cow-boys (fighting with guns) and Indians (fighting with bows and arrows and spears, of course), to then be brought to the pueblo. We also witness the representation of a war dance which, we guess, takes place before the battle and for which the music beat changes: from electronic beats throughout the song, we move to reggae beats for the purpose of the war dance representation. Moreover, shots with a guitarist and Gwen Stefani wearing over-feathered headdresses, shots with Gwen Stefani in a tipi filled with Native American and African tribal artifacts[6] — and a wolf which symbolizes Native Americans' natural state, shots with aggressive and savage-looking Indians ready to go to war, all these images collide cultural “ingredients” from different ethnic groups as well as introducing and repeating images that sustain stereotypes of Native Americans (the savage Indian, the vanishing Indian) performed by white Americans (since a dead people cannot play its own part), and make for a visually and historically incomprehensible ethnocultural soup which deprives Native Americans, as well as their traditional objects and ceremonies, of cultural and historical worth and meaning. They also preclude any chance of modern resistance to cultural appropriation and other forms of violence (such as violence done to Native women against which tribal support is key) against Native cultures and people as the setting evokes a long gone past and the symbolic defeat, through the Indians versus cow-boys battle episode, of Native America against the nation's colonizing forces.

15 In the first scene, Gwen Stefani holds in her hand a long, crooked at the top, wooden stick which resembles a prayer stick, primarily used by medicine people, which implies that this “Native woman” is connected with the spiritual world and maybe imbued with shamanic powers. Medicine stick and sexy, shiny, garments are thus intimately connected, a collusion which recalls the problematic (to most forms of feminisms), because too rapid and restrictive, association between womanhood and sexuality when it comes to claiming power. This female power masquerade lasts only a second, however, and is quickly replaced by another kind of masquerade: that of her

subordination to two cow-boys as we witness Gwen Stefani hands tied, up above her head, to some stake in the wall of an adobe house in the Southern village, and surrounded by the cowboys holding guns in their hands, one of them pointing his gun at the still sexy-looking (despite having been dragged in the dirt) prisoner, standing invitingly with her legs apart as she sings, “Take a good look, won’t you please, cause that's what I want.” This sexy pause and the demand for attention (“take a good look”) and action (“that's what I want” which recalls the expression “wanting it” as it applies to sexual intercourse) directed to the viewer—her first viewers being the cowboys/ jailers who are the first ones looking at her — conjure up once again the stereotype of the loose and promiscuous Native woman, thus denigrating Native women and once again reinscribing and thus justifying the violence of colonial ideology towards Native women's bodies then and now. The promiscuous squaw reference “endows...imperial agents with routinely unrecognized privilege or worse with the power and pleasures associated with dehumanizing others, while literally marking the lives and bodies of indigenous women” (King 97). The “sexy, promiscuous squaw” stereotype as well as other stereotypes of Native Americans revived in the video remind readers of the colonial strategies of appropriation and dispossession against which Native Americans have been fighting since the 1980s as they started reclaiming “rhetorical sovereignty (King 100), defined by Scott Richard Lyons as “a people’s control of its meaning” (Lyons 447), more precisely as “The inherent right and ability of peoples to determine their own communicative needs and desires in [the attempt to revive not their past, but their possibilities], to decide for themselves the goals, modes, styles, and languages of public discourse” (Lyons 449-450).

16 Though most of the artists who were accused lately of cultural appropriation by Native communities publicly apologized for it, it seems as though repetition is the motto as instances of cultural appropriation reoccur on a regular basis, from Seven Jacobs’ racist performance on *The Today Show* last June, wearing a particularly bulky headdress and faking the wrong Indian accent to present the weather forecast (Vrajlal 2016), to the more recent criticism over Free People’s Native-American-inspired line clothes. This fashion *faux pas* is the latest instance of a fashion brand appropriating Native cultural components for fashion effects.[7] Here again, cultural appropriation is staged in a way that clearly illustrates the issue of objectification and sexualization of Native women. As a matter of fact, the website displays photo shots of women taking sexy pauses (mouth half open, legs naked, shirt open enough to see the upper part of a breast), carrying “flags” that look like feathered pipes, wearing headdresses, fringed purses, shoe leggings, or an Indian blanket (with very little clothing under it).[8] No matter what the media is, women who are made to “play Indian” are almost systematically portrayed as highly sexualized.

17 Native communities have been waging a rhetorical war against the inappropriate, stereotypical use of names either imposed upon them — such as the word “Indian,” originally an exonym which is in fact a historical mistake — or pertaining to some of their communities — such as the word “squaw,” an Algonkian word which signifies “being female” and which has been turned by early North American colons into a derogatory, racist term as it has come to signify the sexual promiscuity of Native women. Stereotypical representations of Native women performed by non-Natives not only deny Native women the right to control public discourses about their identities, but also reinscribe over and over again in the national consciousness global negative stereotypes about Native womanhood which participate in devaluing, denigrating them

and conjuring up the violence of conquest in contemporary attitudes and behaviors towards Native women. Racist and sexist cultural appropriation in the American mainstream music and fashion industries are performed by non-Native women and orchestrated by non-Native women and men, the ultimate goal being to market a product. The result is a spectacle which displays simplistic, perverted, historically and culturally inaccurate knowledge about "Native womanhood" which concatenate racist perspectives on Native cultures and patriarchal representations of womanhood inherited from colonialism. The manufacture of these myths about Native women took place over time and space. It is grounded in the colonial history of the U.S., a history which has repeatedly valued diverse forms of violence directed against Native women in the U.S.

The historical (cultural and legal) causes of violence against Native American women

18 In November 2014, a coalition of organizations demonstrated in Minneapolis, Minnesota, as a response to a strip club advertisement, "to protest the hyper-sexualized and defaming stereotypes of Indigenous women to promote stripping and which lends to support of human trafficking in Minnesota" ("Coalition to protest inappropriate..." 2014). This demonstration is one example of the complex web of actions taken by grassroot organizations across the country to fight against the targeting of Native women by sex-traffickers and the disproportionate percentage of Native women involved in commercial sex trade (Sweet 2015). This reality is the consequence of the concatenation of a number of issues facing Native women and communities in the U.S.[9] (poverty, lack of job opportunities on reservations, poor self-esteem, a failing education system, land dispossession and the exploitation of natural resources on reservations, etc.), among which a history of objectification and dehumanization of Native women by the "great actors" of American history.

19 As a matter of fact, one important aspect of the colonial, racist project of the young American nation and its early governments was the control of Native bodies. As Luana Ross and Andrea Smith state in an essay entitled "Native Women and State violence," colonizing forces at play in U.S. society have attempted "to eradicate [Natives'] very identity and humanity. They [have] attempt[ed] to transform Indian people from human beings into tobacco pouches, bridle reins, or souvenirs — an object for the consumption of white people" (Smith and Ross 1). This quote reminds us of the history of mutilation of Native bodies as a manifestation of colonial violence. One infamous example of such violence was supervised by Andrew Jackson during the Creek war of 1813-1814 when soldiers sliced strips of flesh from the bodies of about 800 women, men and children to be tanned and turned into bridle reins.

20 The violence inflicted to Native bodies in contexts of war and missionary work, and under assimilation policies and practices such as the boarding school experience, is a symptom of the historical representation of Native bodies as a form of pollution or infection: famous military man John Chivington is said to have pronounced the now famous line, "Kill and scalp all, big and little; Nits make lice" before launching the attack that led to the massacre of Cheyenne and Arapaho Indians in 1864 at Sand Creek where Native women, men and children were cut open, mutilated, scalped, murdered as they were the "disease" that threatened U.S. moral, cultural and geopolitical

integrity. In the 19th century, Native bodies were constructed as dirty vessels that transported diseases in order to justify genocide. They were also marked by sexual perversity, but it is the colonial, racist ideology of early explorers and missionaries that produced the damaging stereotype of the “promiscuous squaw,” the evil counterpart of another famous stereotype, that of the Indian princess (fictional representations of Pocahontas or Sacagawea epitomize that stereotype). The “promiscuous squaw” stereotype was nourished by early missionary correspondences, captivity narratives, novels, paintings and then reproduced in scholarly works by American historians and writers in the 19th century. The white, Christian, heterosexist biases in these documents have created and then reinforced the problematic association between Native women and sexual sin. Native women were thus sexually violable since only “pure” bodies counted as human, hence the wholesale rape and mutilation of Native women's bodies during the Indian wars. Women were the targets of slaughter because they were overtly sexualized, objectified, dehumanized, and they were so partly because they secured the physical and cultural continuance of their “infectious” people against the colonial project of expansion and nation-building, a project which equated to nothing less than ethnic cleansing.

21 This heritage of violence done to Native women and promoted by the state in the 19th century remained vivid in the 20th century. Native American women were subjected, like poor women and women of color in general, to coercive population control practices through much of the 20th century. In the ’60s and ’70s, 25 % of Native women between 15 and 44 years old were sterilized without their consent under the authority of the Indian Health Service. The U.S. government is required to provide health care to federally recognized tribes since 1787 and tribal dependence for health services on the above-mentioned agency turned tribes into easy and “accessible victims” (Torpy 1) of institutionalized racism: “In the seventies [...] a group of Indian Health Service physicians implemented an aggressive program of Native American sterilization. According to a U.S. General Accounting Office study, hospitals in just four cities sterilized 3,406 women [...] between 1972 and 1976” (Black 400). Native women had to submit to sterilization as they were told that if they refused, they would lose welfare benefits or custody of their children.

22 What's more, throughout the history of the relationship between the American government and Native tribes, Native American women have been disenfranchised as the patriarchal workings of the colonial, and then young national institutions of the region were reproduced in dealing with tribes, no matter what their tribal organization was, in negotiation processes. Female leaders were thus pushed aside the political scene of American history and attempts by anthropologists, sociologists or historians at understanding the functioning of matriarchal societies were scarce until the 20th century. According to Hilary N. Weaver’s 2009 article entitled “The Colonial Context of Violence: Reflections on Violence in the Lives of Native American Women,” “The introduction of a patriarchal worldview espoused both in American society and in Christian institutions that vest power primarily in male leaders and conceptualize spirituality in terms of a male deity further undermined the roles of indigenous women [...] For Native American women, historical trauma and contemporary social issues are [thus] intimately intertwined [...] (Whitbeck et al. 2004)” (Weather 1555).

23 Before the modern era, a few Native American women pervaded American history and the white American imagination, from Pocahontas to Sacajawea to the famous generic

Cherokee princess. These figures were noble, saintly, mythologized by the colonial imagination and did not represent the complex reality of the life and place of tribal women in their communities, but rather promoted the colonial desires of a national agenda. In the 20th century, the Hollywood industry offered a rather one-dimensional representation of Native women, that of the “Celluloid Maiden [...] a young Native American woman who enables, helps, loves, or aligns herself with a white European American colonizer and dies as a result of that choice” (Marubbio ix). If in the early days of Hollywood movie industry Native women were portrayed as drudges, obedient squaws. Very few Native women wrote about their lives and few scholars wrote about Native women to present objective perspectives on them.

24 The second half of the 20th century definitely brought a dimension to the role, place of and stakes for women in Native communities. Native American women from the past, their roles and responsibilities, were rediscovered (Woltrip 1964; Gridley 1974) — though representations were often romanticized, embellished and oftentimes inaccurate or not enough documented — through the work of modern historians and anthropologists; sociologists and health specialists started studying the specifics of Native American women's roles in tribes as they looked at matrilinearity, child-rearing practices, specific ceremonies performed by women, the psychological and social issues women faced in their communities, etc. Moreover, Native women writers,[10] activists, artists, leaders began to receive tribal and national recognition and the specific issues that afflicted Native women were heard in a context of movements that demanded gender equality, civil rights, and in the case of Native Americans, tribal sovereignty and self-determination.

25 Nevertheless, stereotypes, physical violence, political erasure under colonial and early modern systems have impacted Native American women's lives permanently in the past and in the present. The historical legacy of colonial trauma, all too visible today in contemporary representations of Native women, has created a national climate in which Native American women’s bodies are systematically objectified, eroticized, and thus devalued, and which does not sufficiently takes into account the past and contemporary realities of oppression that have intensified the issue of racist, sexual violence perpetrated against Native women today. The racist sexual violence endured by Native women today is the consequence of the reinforcement overtime of cultural and social injustices through laws which have institutionalized the inferior status and subordinacy of Native Americans. As a matter of fact, the protection of Native women's rights is tied to the larger issue of tribal sovereignty in matters of legal action and governance.[11]

26 The Major Crimes Act[12] of 1885 limited the jurisdiction of tribal governments by mandating that a major crime committed on a reservation be prosecuted by the federal government, thus curtailing the protection of tribal members, among which women, against violent crimes. Two years later, in 1887, the General allotment Act was voted by Congress. It disrupted the communal organization of tribes by parceling tribal land into allotments of 80 to 160 acre sites distributed to tribesmen, and it tore apart matrilineal systems of land inheritance by depriving Native women of their rights to owning land, thus reducing their autonomy and power and imposing a patriarchal organization of tribes, which participated in the process of silencing Native women's voices and issues within their communities. Absence of legal protection against violence at home and loss of status within tribal communities are two features of the complex legal, social

and cultural web of issues that have turned women into easy targets of violence. Though the Indian New Deal of 1934 ended land allotment and allowed again for a communal, traditional form of governance on reservations, great harm had already been done by then to the status of women within tribes.

27 In 1953, Public Law 280[13] officially gave 6 states jurisdiction to prosecute criminals on reservations and permitted the other states to acquire jurisdiction at their option; The law was passed during the era of termination (the U.S. government wanted to terminate Indian tribes and force assimilation into the larger society: that meant no more funding from the government to health, social, education and legal services on the reservation) and relocation (tribal people were encouraged to leave their reservation and settle in metropolitan areas). So this law, the purpose of which was to put an end to the special relationship between the federal government and tribes throughout the nation, limited further tribal autonomy as state jurisdiction, that is state criminal laws, were imposed upon tribes. Public Law 280 meant that tribes received no more funding from the federal government to organize their own police and courts since state police and courts took over the responsibility of securing law and order on reservations—that law sounded the death knell of Indian sovereignty. Moreover, funding to the states that adopted that law was insufficient for police officers, state attorneys and judges to deal with criminality on reservations. Thankfully, the law was amended in 1968 under Lyndon Johnson's presidency — Johnson ended termination policies and most tribes regained their status as federally recognized entities with a right to self-government.

28 These laws as well as a number of Supreme Court decisions have made the determination of criminal jurisdiction on Indian reservations very complex. They have created much confusion as to who should prosecute whom when a crime is committed as state, tribal and federal governments have in certain cases concurrent jurisdiction. This confusion and the lack of proper funding to federal, state and tribal police to deal with crimes on reservations rendered complex legal action against criminals. As far as racist sex crimes were concerned, the lack of proper training of police officers in dealing with sexual assault cases, which were not then at the top of the list of major criminal concerns, curtailed the protection of reservation women against off-reservation sex criminals.

29 Other laws added up to these complications in the 1960s and 1970s. The Indian Civil Rights Act of 1968 finally authorized all tribes to prosecute violent crimes, but punishment could not exceed a year in prison and/or 5000 dollars in fines. That same year, Gray versus United States stated that an American Indian man who committed a rape in Indian Country would receive a lower penalty if the victim was a Native woman, a decision which legally revived the historically constructed lower status of Native American women. Ten years later, in 1978, the court case Oliphant versus Suquamish Indian tribe (U.S. Supreme Court, Oliphant v. Suquamish Indian Tribe, 435 U.S. 191 (1978)) concluded with the decision that tribal sovereignty over violent crimes could simply not apply to Non Natives. This court case decision made it easy for off-reservation criminals to act on reservations and it made it impossible for Native women to get protection from non-tribal sex criminals.

30 Change began to happen as late as 1994 when the Violence Against Women’s Act (VAWA) was passed, which “recognized crimes like rape, domestic abuse and stocking as matters of human rights” (Erdrich 2016) and authorized grant programs to help

protect women from these assaults and to help victims of sexual abuse. One of these programs, the Tribal Sexual Assault Services Program, strengthened “the ability of tribes to respond to violent crimes against Indian women, enhance victim safety, and develop education and prevention strategies”.[14] The VAWA was reauthorized in 2000 and 2005, and in 2006, over $6.7 million dollars were awarded to 35 American Indian and Alaska Native communities under the STOP VAIW (Services-Training-Officers-Prosecutors Violence Against Indian Women program) initiative and other initiatives that sought, among other things, to improve the rate of prosecution of sex criminals on reservations.

31 A further step was taken with the VAWA Reauthorization Act of 2013 which, despite opposition from Conservative Republican representatives, was passed and added provisions, in the now famous Title IX entitled “Safety for Indian Women,” that allow tribal police and courts to prosecute non-Indians in cases of domestic violence, dating violence and violation of Protection Orders. Moreover, the law allows tribal governments to issue and enforce protection orders against all persons. This law is definitely a victory in the battle to protect Native women from violence and in the struggle tribes are conducting today to assert internal sovereignty, but it requires improvement still: as a matter of fact, if sexual assault occurs within the limits defined by the law, that is if the victim knew her victimizer, then the defendant will be prosecuted in tribal court. However, if there is no clear evidence of prior acquaintance between victim and victimizer, then prosecution by tribal court is forbidden; either the state or federal government must prosecute, which greatly reduces the chances to take the criminal to trial.

Concluding remarks

32 There is an overtly complex set of jurisdiction laws in the U.S. which are an impediment to the prosecution of sex crimes on reservations and the protection of tribal women against outsiders, and so “The jurisdictional confusion that may ensue when an act of violence occurs sometimes produces an inadequate and delayed response to female victims” (Bachman et al. 8). Since the issue of Native women's protection against crimes at home is tied to that of tribal sovereignty, clarification and simplification of laws are needed before real improvement can take place, which is what tribes across the country are demanding today. More power to the local, tribal government of a tribe must be afforded to encourage tribal women to tell their stories and to prosecute their attackers.

33 If the U.S. law needs to evolve, so do the place and representations of Native women within tribes and within mainstream American culture and governance so that their historically vital, intellectual, political and creative abilities be publicized and put to good use. Native women are slowing moving to the front of tribal leadership in the U.S. and challenging the patriarchal systems implemented since the early days of colonization. At the national level, in 2009, President Barack Obama appointed two Native American female leaders to important positions: Jodi Archambault Gillete, a Standing Rock Sioux tribal member, became the deputy associate director of the president’s Office of Intergovernmental Affairs. Dr. Yvette Roubideaux, a Lakota woman from the Rosebud Indian Reservation, became the first female director of the Indian Health Service. Having a voice on the national platform is important for Native female

leaders to foster change in the representations Americans as a whole share about Native American women. Finally, the role of the media (news coverage, films, series, video games) seems crucial in order for decolonized images of Native American women, defined by them, to come through.

34 Changes in the role and representations of Native American women are of course related to more global changes yet to come: changes in the roles and representations of indigenous and minority women in contemporary societies worldwide. Racist sexual violence against Native women is one visible, tragic national instance of violence against so called “minority women,” which is one complex aspect of larger processes of nation-based and global femicides, with their multifarious origins and contexts in the U.S. and worldwide. It is thus important to keep operating analyses of the complex relationship between minority gender groups and instances of nation-based colonial ideology inherited from successive, racist political agendas, and repeatedly diffused, *ad infinitum*, into popular culture, as if injurious images of minority women in a national or global psyche, or collective consciousness, had been molded forever, time-stamped. It is necessary to continue the work of critiquing contemporary representations of minority women based on this notion of arrested development and replacing these representations with a historicized analysis of their complex, modern realities.

BIBLIOGRAPHY

Blog

Keene, Adrienne. *Native Appropriation* blog. http://nativeappropriations.com/2010/06/nudie-neon-indians-and-the-sexualization-of-native-women.html#comments .

Fashion website:

Festival Shop Trend, *Free people*, https://www.freepeople.com/the-festival-shop-trend/

Laws and grant program

Oliphant v. Suquamish Indian Tribe. 1978, Justia U.S. Supreme Court, https://supreme.justia.com/cases/federal/us/435/191/case.html.

OVW grant programs. The United States Department of Justice, https://www.justice.gov/ovw/grant-programs#tsas.

Public Law 280, 1953, Tribal Court Clearinghouse: a project of the Tribal Law and Police Institute, http://www.tribal-institute.org/lists/pl280.htm.

The Major Crimes Act. United States Department of Justice, 1973, https://www.justice.gov/usam/criminal-resource-manual-679-major-crimes-act-18-usc-1153

Music video

No Doubt. “Looking Hot,” 2012, https://vimeo.com/92061363

Newspaper articles

Author unknown. “Here We Go Again: Victoria’s Secret Angel Karlie Kloss Dons Headdress.” *Indian Country Today*. 11 August 2012, http://indiancountrytodaymedianetwork.com/2012/11/08/here-we-go-again-victorias-secret-angel-karlie-kloss-dons-headdress-144773 [accessed in 2016]

Author Unknown. “Coalition to protest inappropriate hyper-sexualized stereotypes of indigenous women in Minneapolis.” *Native News Online.net*. 24 November 2014, http://nativenewsonline.net/currents/coalition-protest-inappropriate-hyper-sexualized-stereotypes-indigenous-women-minneapolis/

Author Unknown. “Urban Outfitters Wins Latest Round in Navajo Nation Case.” *The Fashion Law*. 12 July 2016, http://www.thefashionlaw.com/home/urban-outfitters-wins-latest-round-in-navajo-nation-case

Burleson, Anna. “'Siouxper Drunk T-shirts spark controversy at UND.” *Grand Forks Herald*. 12 May 2014, http://www.grandforksherald.com/news/education/2676387-siouxper-drunk-t-shirts-spark-controversy-und

Erdrich, Louise. “Rape on the Reservation.” *The New York Times*. 26 February 2013, http://www.nytimes.com/2013/02/27/opinion/native-americans-and-the-violence-against-women-act.html?_r=0.

Sweet, Victoria. “Trafficking in Native Communities.” *Indian Country Today*. 24 May 2015. http://indiancountrytodaymedianetwork.com/2015/05/24/trafficking-native-communities-160475 [accessed in 2016]

Vrajlal, Alicia. “The Today show slammed for ‘cultural appropriation’....” *Daily Mail Australia.* 2 June 2016. http://www.dailymail.co.uk/tvshowbiz/article-3621152/The-Today-slammed-cultural-appropriation-weather-presenter-Steve-Jacobs-dressed-Native-American-s-latest-blow-breakfast-ratings-decline.html

Reports

Amnesty International USA. “Maze of Injustice: The failure to protect Indigenous women from sexual violence in the USA.” 2007. https://www.amnestyusa.org/reports/maze-of-injustice/

The Minnesota American Indian Women’s Resource Center. “Shattered Hearts: The Commercial Sexual Exploitation of American Indian Women and Girls in Minnesota.” 2009. https://www.niwrc.org/resources/shattered-hearts-commercial-sexual-exploitation-american-indian-women-and-girls-minnesota

Bachman, Ronet, Heather Zaykowski, Rachel Kallmayer, Margarita Poteyeva and Christina Lanier. *Violence Against American Indian and Alaska Native Women and the Criminal Justice Response: What is Known*. 2008. https://www.ncjrs.gov/pdffiles1/nij/grants/223691.pdf

Scholarly books and articles

Black, Edwin. *War against the Weak: Eugenics and America's Campaign to Create a Master Race*. 2nd edition. Washington: Dialog Press, 2012.

Deer, Sarah. *The Beginning and End of Rape: Confronting Sexual Violence in Native America*. Minneapolis: U. of Minnesota P., 2015.

Deloria, Philip J. *Playing Indian*. New Haven: Yale UP, 1998.

FitzGerald, Michael Ray. *Native Americans on Network TV: Stereotypes, Myths, and the “Good Indian.”* Rowman and Littlefield: Lanham, 2014.

Green, Rayna. “Native American Women,” *Signs* 6(2) 1980: 248-267. DOI: 10.1086/493795

Green, Rayna. *Native American Women: A Contextual Bibliography*. Bloomington: Indiana University Press, 1983.

Gridley, Marion E. *American Indian Women*. New York: Hawthorne Books, 1974.

King, C. Richard. *Unsettling America: The Uses of Indianness in the 21st Century*. Plymouth, UK: Rowman and Littlefield Publishers, 2013.

Lubber, Klaus. *Born for the Shade: Stereotypes of the Native American in United States Literature and Visual Arts, 1776-1894*. Amsterdam: Rodopi, 1994.

Lyons, Scott Richard. “Rhetorical Sovereignty: What do American Indians Want from Writing?” *College Composition and Communication* 51(3) February 2000: 447-468. DOI: 10.2307/358744

Marubbio, M. Elise. *Killing the Indian Maiden: Images of Native American Women in film*. Lexington: The UP of Kentucky, 2006.

Mehlman, Jeffrey. “The ‘Floating Signifier’: From Lévi-Strauss to Lacan.” *Yale French Studies* (48), “French Freud: Structural Studies in Psychoanalysis,” 1972: 10-37. DOI: 10.2307/2929621

Murphy, Jessyca. “’The White Indin’: Native American appropriations in Hipster Fashion,” Academia.Edu. Diss. The New School for Public Engagement, 2013. https://www.academia.edu/8106379/_The_White_Indin_Native_American_Appropriations_in_Hipster_Fashion_in_Unsettling_Whiteness

Riley, Angela R. “Oh No They Didn't! UCLA-American Indian Studies Open Letter to No Doubt.” November 2012. http://chantalrondeau.com/post/35141094639/oh-no-they-didnt-ucla-american-indian-studies.

Smith, Andrea and Luana Ross. “Native women and State Violence.” *Social Justice* 31(4) 2004: 1-7. https://www.jstor.org/stable/29768269

Torpy, Sally J. “Native American Women and Coerced Sterilization: On the Trail of Tears in the 1970s.” *American Indian Culture and Research Journal* 24(2) 2000: 1-22. DOI: https://doi.org/10.17953/aicr.24.2.7646013460646042

Weather, Hilary N. “The Colonial Context of Violence: Reflections on Violence in the Lives of Native American Women.” *Journal of Interpersonal Violence* 24(9) 2009: 1552-63.

Weston, Mary Ann. *Native American in the News: Images of Indians in the Twentieth Century Press*. Westport: Greenwood Press, 1996.

Woltrip, Lela, and Rufus Woltrip. *Indian Women: Thirteen Who Played a Part in the History of America from the Earliest Days to Know*. New York: David MacKeay, 1964.

NOTES

1. For the updated (2012) definition of rape in the U.S., go to the U.S. Department of Justice website at https://www.justice.gov/opa/blog/updated-definition-rape.

2. For a study of early stereotypes of Native Americans, see Lubber (1994). For a study of the evolutions of these stereotypes in the 20th century, see Weston (1996). See also FitzGerald (2014).

3. For more on the issue, see Burleson (2014). Unfortunately, the "drunk Indian" stereotype is reinforced today by the logos of t-shirts sold by on-line cloth companies such as "Red Dirt Shirts" or "Feeling Good Tees" (relayed by Amazon) which associate Indianness with alcoholism. The most popular t-shirt logo "My Indian name is Runs with Beer" exemplifies the racist, stereotypical connection between drinking and Native Americans.

4. Warpaint, Indian wars, Geronimo are but a few examples of such band names. For more information about appropriations of Native American cultural artifacts by American hipster bands, see Murphy (2013).

5. For a definition of the "floating signifier" concept, see Mehlman (1972).

6. The result is a meaningless multicultural soup that is as offensive to Native American cultures as it is to African cultures and Jamaican music makers.

7. See the July 2016 article on The Fashion Law website about the case filed by the Navajo Nation against Urban Outfitters on grounds of cultural appropriation ("Urban Outfitters Wins..." 2016).

8. See the Festival Shop Trend of the Free people website at https://www.freepeople.com/the-festival-shop-trend/, last accessed October 9, 2016.

9. #The 2009 report "Shattered Hearts: The Commercial Sexual Exploitation of American Indian Women and Girls in Minnesota," drafted by the Minnesota American Indian Women's Resource Center is a clear and complex assessment of the state and causes of Native American women's forced involvement in sex trafficking. http://indianlaw.org/sites/default/files/shattered%20hearts%20report.pdf , last accessed October 9, 2016.

10. For a more precise assessment of the evolution of the place of Native American women in American history, see Green (1980; 1983).

11. For a more complex analysis of the laws that have participated in curtailing Native women's rights to bodily integrity and safety, see Deer (2015).

12. United States Department of Justice, https://www.justice.gov/usam/criminal-resource-manual-679-major-crimes-act-18-usc-1153, last accessed October 9, 2016.

13. Tribal Court Clearinghouse: a projet of the Tribal Law and Police Institute, http://www.tribal-institute.org/lists/pl280.htm, last accessed October 9, 2016.

14. The United States Department of Justice, https://www.justice.gov/ovw/grant-programs#tsas, last accessed October 9, 2016.

ABSTRACTS

Colonialism, its ingrained sexism and racism, and the consequential loss of tribal sovereignty through the elaboration by the American government of a complex legal system that has limited tribal jurisdiction, have had disastrous consequences on the bodily and social integrity of Native American women, past and present, in the U.S. This article analyzes problematic, stereotypical representations of Native Americans, men and women in contemporary mainstream American culture, focusing on stereotypes which promote violence against Native women, and

deconstructs these representations through an analysis of the colonial (cultural and legal) history of racist violence perpetrated by non-Natives upon Native Americans in general and Native women in particular.

Le colonialisme, doctrine politique à laquelle le sexisme et le racisme sont des éléments inhérents, et notamment la perte qui en a découlé de la souveraineté tribale du fait de l'élaboration par le gouvernement américain au 19e siècle d'un système juridique complexe qui a limité la juridiction des gouvernements tribaux, ont eu des conséquences désastreuses sur l'intégrité physique et sociale des femmes amérindiennes. Cet article analyse les représentations problématiques et stéréotypées des amérindiens, hommes et surtout femmes, dans la culture américaine dominante contemporaine. Il se focalise sur les stéréotypes qui favorisent la violence contre les femmes amérindiennes et déconstruit ces représentations par l'analyse de l’histoire coloniale (culturelle et juridique) caractérisée par la violence raciste commise à l'encontre des amérindiens en général et des femmes amérindiennes en particulier.

INDEX

Mots-clés: violence, femmes, minorités, stéréotypes, Amérindiens, culture populaire, souveraineté, colonialisme, États-Unis
Keywords: violence, minority, women, Native American, stereotyping, popular culture, sovereignty, colonialism, United States

AUTHOR

SOPHIE CROISY

Sophie Croisy is an assistant professor of American studies at the University of Versailles Saint-Quentin-en-Yvelines. She teaches American literature of the 19th and 20th centuries (including contemporary Native American literature) and 19th century American history. She is the author of *Other Cultures of Trauma: Meta-metropolitan Narratives and Identities* (2007), a book on the representation of trauma in the fiction of contemporary Caribbean, North African and Native American writers. More recently, she edited a book entitled *Globalization and Minority cultures: The Role of “Minor” Cultural Groups in Shaping our Global Future* (2015) on the complex relationship between globalization and cultural minorities worldwide. She is currently working on two projects: a book project on the representation of trauma in Ojibway writer Louise Erdrich's most recent fiction and an article on the representation of the link between nature and culture in the novels of Chickasaw writer Linda Hogan. Contact: sophie.croisy [at] uvsq.fr